

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
1285 AVENUE OF THE AMERICAS
TELEPHONE (212) 373-3000

NEW YORK, NEW YORK 10019-6064

UNIT 5201, FORTUNE FINANCIAL CENTER
5 DONGSANHUAN ZHONGLU
CHAOYANG DISTRICT, BEIJING 100020, CHINA
TELEPHONE (86-10) 5828-6300

WRITER'S DIRECT DIAL NUMBER
(212) 373-3061

WRITER'S DIRECT FACSIMILE
(212) 492-0061

WRITER'S DIRECT E-MAIL ADDRESS
cboehning@paulweiss.com

SUITES 3601 – 3606 & 3610
36/F, GLOUCESTER TOWER
THE LANDMARK
15 QUEEN'S ROAD, CENTRAL
HONG KONG
TELEPHONE (852) 2846-0300

ALDER CASTLE
10 NOBLE STREET
LONDON EC2V 7JU, UNITED KINGDOM
TELEPHONE (44 20) 7367 1600

535 MISSION STREET, 24TH FLOOR
SAN FRANCISCO, CA 94105
TELEPHONE (628) 432-5100

FUKOKU SEIMEI BUILDING
2-2 UCHISAIWAICHO 2-CHOME
CHIYODA-KU, TOKYO 100-0011, JAPAN
TELEPHONE (81-3) 3597-8101

TORONTO-DOMINION CENTRE
77 KING STREET WEST, SUITE 3100
PO. BOX 226
TORONTO, ONTARIO M5K 1J3
TELEPHONE (416) 504-0520

2001 K STREET, NW
WASHINGTON, DC 20006-1047
TELEPHONE (202) 223-7300

500 DELAWARE AVENUE, SUITE 200
POST OFFICE BOX 32
WILMINGTON, DE 19899-0032
TELEPHONE (302) 655-4410

BY ECF

The Honorable Vincent L. Briccetti
United States Courthouse
300 Quarropas Street, Room 630
White Plains, NY 10601

Re: *UnitedHealthcare Insurance Company v. Regeneron Pharmaceuticals, Inc.*, 7:20-cv-10664 (“United”); *Humana Inc. v. Regeneron Pharmaceuticals, Inc.*, 7:21-cv-06245 (“Humana”)

Dear Judge Briccetti:

We write on behalf of Defendant Regeneron Pharmaceuticals, Inc. (“Regeneron”), and in accordance with the Court’s direction in its Orders dated December 29, 2022, (*United*, ECF No. 46; *Humana*, ECF No. 40), to provide a status update on *United States v. Regeneron Pharmaceuticals, Inc.*, No. 1:20-cv-11217 (D. Mass. filed June 24, 2020) (the “DOJ Action”).

Since Regeneron’s last status update to Your Honor in December 2022, the DOJ Action has progressed substantially. Summary judgment motions from both sides were fully briefed as of June 8, 2023; the United States filed a motion for partial summary judgment on December 28, 2022, which was fully briefed by March 8, 2023, and Regeneron filed a motion for summary judgment on January 31, 2023, which was fully briefed by June 8, 2023, with the filing of a sur-reply by the United States. Oral argument on both motions has been scheduled for July 21, 2023 at 2 p.m. The Court has scheduled a status conference for July 7 at which certain pending issues may be addressed. Fact and expert discovery are otherwise complete.

Separately, as noted in our June 2022 letter to the court, the four other lawsuits filed by third-party insurance companies against Regeneron that are pending in the District of Massachusetts, each of which is substantively identical to the *United* and *Humana* actions, remain stayed pending resolution of the DOJ Action.

We are available to address any questions at the Court’s convenience.

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

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Respectfully submitted,

/s/ H. Christopher Boehning

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